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SUBJECT: ETHIOPIA: POST REPLY TO TRAFFICKING IN PERSONS
(TIP) REPORT QUESTIONS

REF: STATE 003836

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¶1. (SBU) Responses cued to reftel questions are provided below.

QUESTION 21: OVERVIEW

¶A. Ethiopia is a country of origin for internationally trafficked women, to a far lesser extent men, and a small number of children. Trafficking also occurs within the country's borders. Estimates vary, but local non-governmental organizations (NGO) believe that an estimated 20,000 to 25,000 Ethiopians were trafficked internationally in 2005, roughly the same number that were trafficked in 2004. Trafficking reported in 2005 was primarily labor-related. Government officials do not have estimates for 2005. Sources believe totals trafficked internationally favor females over males, with prostitution amounting to a minor share of the total. Young women, particularly those age 18-30, were the most commonly trafficked group, while a small number of children were also reportedly trafficked internationally.

¶B. Young women are trafficked from all parts of Ethiopia primarily to the Gulf states and Djibouti to work as domestic laborers and less typically as commercial sex workers; Lebanon, the United Arab Emirates, and Saudi Arabia are the most common destination countries. According to

International Organization for Migration (IOM) officials in Addis Ababa, there are a total of more than 130,000 Ethiopian migrant workers (legal and illegal) in the Middle East, predominantly women. NGOs and Ethiopia's Ministry of Labor and Social Affairs (MOLSA) estimate that the majority of illegal Ethiopian workers in Middle East countries were trafficked rather than smuggled for employment purposes. IOM officials in early 2006 consider that the following MOLSA figures continue to be "reliable estimates":

-- There are over 17,000 illegal Ethiopian workers present in Lebanon, along with over 15,000 legal Ethiopians, representing a significant share of Lebanon's estimated 80,000 migrant worker population. (NOTE: IOM reports that Lebanon has resumed issuing work permits to Ethiopians, after suspending issuance for 18 months. END NOTE.)

-- Around 10,000 to 12,000 illegal Ethiopian workers are believed to be located in Yemen. As of February 2006, several thousand Ethiopians remained stranded in Puntland (Somalia), having sought unsuccessfully to transit onward to Yemen. In February 2006, UNHCR reported that boat sailing across the Gulf of Aden from Somalia to Yemen forced 137 passengers overboard, resulting in the deaths of at least 30; passengers included Somalis and Ethiopians seeking to avoid interception by Yemeni coast guard officials.

-- IOM officials cite Yemen as a significant transit point, particularly for young Ethiopian girls being trafficked to Djibouti, many of whom are as young as age 14 or 15. According to IOM, a recent impact assessment concludes that many of these trafficked girls in Djibouti have HIV/AIDS; the Government of Djibouti has accused Ethiopian migrants of increasing Djibouti's HIV/AIDS rate.

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-- In Saudi Arabia, there are reportedly close to 80,000 illegal Ethiopian workers, the bulk having initially traveled to Saudi Arabia on religious pilgrimage (the haj) but then staying on illegally.

-- Some 5,000 to 7,000 illegal Ethiopian workers are believed present in both Kuwait and Bahrain.

-- Estimates indicate perhaps 4,000 to 5,000 illegal Ethiopians present in the United Arab Emirates, principally in Dubai.

Men tend to be trafficked to Saudi Arabia and the Gulf States primarily as low-skilled labor. NGOs report transit countries include Egypt, Yemen, Djibouti, Sudan, Libya, Tanzania, and Kenya; some Ethiopian women have been reportedly trafficked onward from Lebanon to Europe (specifically Turkey and Greece). See chart below for those trafficked from Ethiopia:

TRANSIT	RECEIVING COUNTRIES	TYPE OF RECRUITMENT
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Egypt, Yemen, Djibouti, Kenya, Tanzania	Lebanon and other Gulf States	domestic labor
--	Djibouti	domestic labor, sex industry
--	South Africa	labor associated with hosting the World Cup (e.g., construction)
Sudan, Libya	Europe, North America	irregular migration

Local NGOs report that internal trafficking of children and

adults within Ethiopia has continued to be a serious problem.

Both adults and children are believed to be trafficked from rural areas to urban areas, principally for domestic labor purposes, and, to a lesser extent, for prostitution and other labor activities, such as street vending. Vulnerable individuals, such as young adults from rural areas and children, who transit the Addis Ababa bus terminal, are sometimes identified and targeted by agents (or traffickers) who approach them offering jobs, food, guidance, or shelter. Some social workers have reported that people from urban areas recruit children in their villages for housemaid work or traditional weaving. NGO representatives say some agents or traffickers now go to rural villages to recruit specific types or categories of laborers.

IOM officials report some linkages between internal and international trafficking: specifically noting that children internally trafficked from Dire Dawa, Bahar Dar, and Dessie, are then sent overseas to the Middle East, transiting through Dire Dawa, Jijiga, Bosasso (in Somalia), and then Djibouti.

High unemployment and extreme poverty continued to provide the "push" behind labor and migration trends, while jobs,

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opportunities, and better living standards overseas served to "pull" desperate Ethiopians overseas, according to IOM officials. NGOs believe that, while the number of legal labor migration employment agencies has risen from five to 17 in the past year, the GOE has significantly tightened its implementation of various labor and employment agency provisions. The net result, according to NGOs, is that more Ethiopians being trafficked are exiting via neighboring countries (particularly Djibouti, Kenya, Tanzania, and Sudan) or via intermediate destinations (such as Syria or Egypt). There are now a total of 17 registered employment agencies in Ethiopia, all headquartered in Addis Ababa, that have been licensed by MOLSA to send workers abroad, primarily to the Middle East.

Ethiopia is not a destination country for internationally trafficked victims. With regard to internally trafficked individuals and as noted earlier, some are targeted on arrival in Addis Ababa or recruited from the villages for work as housemaids or for unskilled jobs in shops, factories, restaurants, or bars. Those without recourse to family or return to their villages are at risk to exploitation, including prostitution. Coercion is sometimes a factor. NGOs note that frequently individuals make their own choice to move from rural areas to cities to seek employment and that it is also common for extended families to seek out job opportunities for unemployed family members.

1C. The government continues to face many limitations in addressing trafficking. They include an inadequately trained police force, lack of resources to aid victims, lack of coordination among government agencies in tackling the problem of trafficking, lack of funds to expand anti-trafficking initiatives, an overburdened judiciary that lacks understanding of the problem of trafficking, and lack of ministerial level initiatives to improve the situation significantly given current resource constraints. MOLSA reports information about trafficking sources to the Ministry of Justice (MOJ) and the police which are mandated to take appropriate measures; however, according to some government officials, enforcement measures are lacking.

1D. The government is concerned with the problem of trafficked persons from Ethiopia, and committed to its eradication. The government does little, however, to monitor its anti-trafficking efforts systematically. Recognizing this shortcoming, the government has started to build its capacity to respond to trafficking issues. The government initiated efforts to study trafficking, increase detection and begin collecting statistics. It has enhanced its immigration procedures, such as checking departees' contracts

against MOLSA lists. The Ministry of Foreign Affairs (MFA) continued to lead an inter-ministerial national committee to study the issue of Ethiopian women who are being trafficked to the Gulf states and Lebanon. The GOE established a multi-agency counter-trafficking task force led by the vice minister of justice, with a mandate to establish a nation-wide, multi-agency plan of action for combating trafficking. MOLSA worked with the IOM as well as NGOs and some donors, such as USAID, to launch information awareness initiatives. The government continues to open consulates in the Gulf states, which provide limited legal assistance and shelter to trafficked victims there.

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QUESTION 22: PREVENTION

1A. The government actively acknowledges that trafficking is a problem in Ethiopia.

1B. The MFA, MOJ, the Office of Women's Affairs within the prime minister's office, and MOLSA are all involved in anti-trafficking efforts, as are the federal police and immigration officials. They each participate in the national government's inter-ministerial committee to combat the problem of trafficking, as well as the counter-trafficking task force.

1C. The government has supported IOM-sponsored anti-trafficking information campaigns, including large-group counseling efforts in schools and universities and various media campaigns. The government also supervises the work of the legal international labor migration firms, which include counter-trafficking training in their initial screening and pre-departure counseling programs. Pre-departure counseling is designed to empower potential migrants by providing information about the realities of irregular migration, and in particular the risks for women. Such risks include negative health consequences, exploitation, violence and abuse. In addition, the project provides counseling on human rights, financial management and health issues to potential migrants and their families. Such counseling enables the beneficiaries to make better-informed decisions related to migration, as well as to facilitate their socio-economic integration in the country of destination. IOM has also provided hot-line support to give anonymous counseling services. This pre-departure counseling complements an already existing IOM information campaign that disseminates reliable information on issues related to irregular migration and trafficking to potential migrants and victims of trafficking, their families and the community at large.

The government has championed a program that involves matching employers in Lebanon with a potential Ethiopian employees in Ethiopia. Family members or friends already working in Lebanon often arrange such referrals. Under the program, government officials verify the employer, position and contract terms in Lebanon. Once the employment opportunity is deemed valid, the contract and employment details are sent to MOLSA and then on to the prospective employee. The employee is then able to travel legally and registers with the Beirut consulate.

In December 2005, the Ministry of Justice forwarded a proposal to Post for a public awareness campaign on trafficking, which remains under review by the Department.

1D. The Ministry of Education (MOE) continued to work with UNICEF on a campaign to boost the enrollment of girls in schools in Ethiopia's poorest regions. MOE has organized a workshop with education professionals aimed at overcoming the hurdles that prevent girls from attending school, such as domestic chores and early marriages. IOM, together with MOE, continued to distribute over 500,000 exercise books with cartoon illustrations depicting counter trafficking to

secondary school students throughout the country. IOM

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continued to work in collaboration with the MOE by organizing peer group discussions on trafficking in 200 secondary and junior secondary schools in the country. IOM supplies recorded cassettes and CDs on the ill effects of trafficking to these schools for broadcasting through school mini-media during recess time in order to provide a better understanding of trafficking-in-persons.

(Note: Reftel does not include question "E.")

¶F. Civil society is weak in Ethiopia, but the government works closely with those organizations that exist, namely IOM and the Ethiopian Women Lawyers Association (EWLA). For the most part, MOLSA works with the IOM on anti-trafficking activities and does not have much official collaboration, largely for lack of funding, with indigenous NGOs apart from making some data available to them upon request. In contrast, the Ethiopian officials in Beirut and Dubai have reported that the consulates have developed professional relationships with NGOs as well as with churches in Lebanon that are working to protect the rights of Ethiopian migrant workers. One such organization in Beirut is the Roman Catholic organization, CARITAS. Indeed, NGOs both in Ethiopia and in Lebanon applaud the cooperative efforts of the consulate staff while noting they are overworked and under-funded given the workloads they face.

¶G. The government monitors its borders to the extent of its ability. There are large swaths of territory along Ethiopia's borders with Sudan and Somalia that cannot currently be fully monitored by border officials. The government monitors immigration and emigration patterns for evidence of trafficking. With IOM assistance, immigration officers have been trained to spot and question those most susceptible to trafficking and verify the legitimacy of the travel. Beyond application of proclamation 104, there has been little effort to use such data in any meaningful way to put a stop to the problem. Police officials, reflecting popular sentiment, appear to be less alarmed with the problem of trafficking, insisting upon people's rights under the Ethiopian constitution to travel freely. Domestic trafficking has received less attention. Consequently, enforcement has lagged in this regard.

¶H. An inter-ministerial national committee for fighting trafficking consisting of officials representing MOLSA, MOJ, MFA, and police and immigration officials exists. NGOs reported that it meets periodically to address specific problems and policy issues. However, a counter-trafficking force formed in 2004 held several meetings and developed a series of taskings for relevant ministries and agencies to develop proposals, collect information, etc. The task force met regularly prior to outbreak of post election-related violence in June 2005, but has not met since.

(Note: Reftel does not include question "I.")

¶J. Work was begun in 2004 on the formulation of a national plan of action to address trafficking in Ethiopia. Heretofore, MOLSA had overall responsibility for this issue and its annual action plan included a summary of its work plans for the year with respect to counter trafficking. Progress has been slow due to the election-related violence.

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QUESTION 23: INVESTIGATION AND PROSECUTION OF TRAFFICKERS

The government did enact any new legislation relating to trafficking since the last TIP report, but instituted a new

penal code with improved trafficking-related language. The revised penal code specifically outlaws labor-related trafficking, and entered into force in May 2005, replacing the former penal code of 1957.

¶A. Article 596 (Enslavement) criminalizes any attempt to enslave, sell, alienate, buy, trade or exploit another person. Article 597 (Trafficking in Women and Children) criminalizes the recruitment, transportation, harboring, import, or export of women or minors for the purpose of forced labor. Article 598 (Unlawful Sending of Ethiopians for Work Abroad) criminalizes the sending of Ethiopian citizens abroad for work without a license. Article 599 (Participation of Illegal Associations and Juridical Persons) criminalizes any group or organization's participation in slave trade. Article 600 (Default of Supervision or Control) criminalizes any government official who fails to take all measures to control and prevent trafficking. Article 635 (Traffic in Women and Minors) specifically criminalizes the trafficking of men, women and children for prostitution.

¶B. Those found in violation of the articles above face five to 20 years imprisonment and a fine not exceeding 50 thousand birr (approximately \$5,800). For particularly egregious cases, the penalty may be 10 to 20 years imprisonment. Organizations found in violation Article 599 face a 100 thousand birr (approximately \$11,500) fine and dissolution.

¶C. Article 589 of the penal code makes rape punishable imprisonment not exceeding ten years. Rape is punishable for up to 15 years if committed on a child under the age of 15, or on anyone under the protective custody or supervision of the accused person, or by a number of persons acting in concert. Forced sexual assault as defined by article 590 of the penal code is punishable by imprisonment not exceeding eight years, or with "simple imprisonment" for not less than six months. Depending on which article is used to prosecute, the penalties for rape and sexual assault may be more or less severe than the penalties for trafficking.

¶D. Prostitution is not legal in Ethiopia. Article 634 (Habitual Exploitation for Pecuniary Gain) criminalizes the act of prostitution and those elements in support of it. Prostitutes, brother owner/operators, clients and pimps are subject to a maximum of five years imprisonment. In practice, however, few people are charged with prostitution or crimes related to prostitution.

¶E. Enforcement of Ethiopia's existing anti-trafficking laws has lagged.

-- Some NGO sources report that in 2005, local and federal police referred 38 cases to the prosecutor's office. Of these, two have resulted in convictions, 18 are pending prosecution, and the remainder have been closed for lack of evidence or abscond of the defendant. The low conviction rate is the result of an understaffed and overburdened

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judiciary, trafficking legislation that essentially does not punish labor traffickers, lack of cooperation on fighting trafficking with destination country governments, and alleged corruption on the part of responsible local authorities. Traffickers also destroy evidence, making convictions difficult.

-- The Forum for Street Children, a domestic NGO funded by international donors, reports the following cases of trafficked children and traffickers under investigation:

2004: 251 cases of trafficked children reported; 8 cases investigated (5 dropped for lack of evidence; 3 still pending); 11 of 12 cases sent to prosecutors were later dropped for insufficient charges. 1 individual sentenced to 3 months and 15 days in prison.

2005: 411 cases of trafficked children reported (332 female, 79 male); 5 cases remain under investigation by police; 14 of 15 cases sent to prosecutors later dropped; 1 individual sentenced to 6 years imprisonment.

2006: 109 cases of trafficked children reported to date (as of February 2006); 3 cases under investigation; 6 cases transferred for prosecution; 2 cases pending in court.

-- In February 2006, the assistant prosecutor-general explained that the federal government previously compiled information only on the number of "fraud" cases, not trafficking per se. Such "fraud" cases included trafficking-related cases, but also unrelated crimes such as counterfeit checks and other forms of fraud. As noted previously, the revised penal code now specifically recognizes trafficking. However, the assistant prosecutor-general said that the federal government lacks the institutional capacity or resources to identify only trafficking-related cases; he cited a total of 70,000 criminal files in the prosecutor's office, which he said would have to be reviewed individually to determine if they were related to trafficking.

1F. Information on who is behind the trafficking is much harder to document. According to MOJ, MOLSA and IOM sources, Ethiopians themselves are behind these trafficking schemes. There are several operators who have extensive linkages both throughout Ethiopia as well as in the countries of destination. In the past, some worked under the cover of legitimate travel agencies. NGO representatives claim that traffickers tend to be individuals rather than organizations and operate on fairly small scale. They do not believe trafficking is operated or coordinated by international criminal organizations.

1G. The government has investigated cases of trafficking, employing surveillance techniques in the process. However, during February 2006 meetings, both domestic NGOs working on trafficking issues, as well as Ethiopia's assistant attorney-general, report that police who had been assigned to special units in Addis Ababa to combat child trafficking had been transferred from those duties to deal with street violence associated with recurring anti-government demonstrations in late 2005 and early 2006. Police and immigration security officials are equipped to conduct

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electronic surveillance and undercover operations. But whatever evidence they have turned up thus far has been insufficient in convincing judges to convict.

1H. Although the government does not provide any specialized training, it allowed IOM to provide government officials with information and training in how to recognize, investigate, and prosecute instances of trafficking.

1I. Ethiopia thwarted some the trafficking of victims transiting Addis Ababa's Bole airport, but according to MOLSA and the IOM, there is little cooperation with other governments in the investigation and prosecution of trafficking cases. The MFA intends to increase awareness among Ethiopian diplomats of the seriousness of the trafficking problem in Ethiopia by including the issue in training programs for its diplomats. The MFA states that destination countries have not been willing to enter into any binding bilateral agreements with Ethiopia, despite Ethiopia's attempts to conclude such agreements. Ethiopia lacks diplomatic representation in some Gulf states but intends to open a number of new missions in the coming years, if funding permits. Its embassy in Saudi Arabia is accredited to Oman, and its mission in Kuwait is accredited to Bahrain, for example.

1J. According to the MFA, there have been no requests by any foreign government to extradite a non-Ethiopian charged with

trafficking. The government does not extradite its own nationals charged with such offenses.

¶K. There is virtually no evidence of the involvement of government officials in trafficking schemes.

¶L. There have been no official reports of the involvement of government officials in trafficking, but there are specific if unsubstantiated reports that this practice exists. No government official has ever been officially implicated or arrested on any trafficking charge.

¶M. Ethiopia is not a child sex tourism source or destination. One foreign national has been convicted of pedophilia and is serving a nine-year sentence. A newly established court for women and children has led to several convictions of Ethiopians for sexual abuse. While these convictions are not related to trafficking, NGOs see the court as a potentially useful tool for this purpose.

¶N. The government signed and ratified ILO convention 182 (2003), ILO convention 29 (2003), ILO convention 105 (1999).

The government has not yet signed nor ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography or the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially women and children. However, both protocols have been submitted to the council of ministers for approval.

QUESTION 24: PROTECTION AND ASSISTANCE TO VICTIMS

¶A. MOLSA and IOM sources report that the government does not
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have the resources to provide any material assistance to victims of trafficking. Consulates in Beirut and Dubai dispense limited legal advice to trafficked victims and provide temporary shelter to them on occasion. The government does not provide temporary loans to trafficked victims who do not have the financial means to be repatriated. There is neither a specially designated victim care program nor victim health care facilities in Ethiopia. Returned trafficked victims must rely on psychological services provided by public health institutions at their own expense. MOJ is looking at how to more effectively identify NGOs or CSOs that can and do provide such services as well as to improve referral systems.

¶B. MOLSA, EWLA, and IOM confirm that the government does not provide any funding or other forms of support to foreign or domestic NGOs for services to victims.

¶C. Screening and referral programs are in place in Addis Ababa principally for children and MOJ intends to expand these programs to other large cities and rural transport points. Each Addis Ababa police station has a child protection unit that collects information regarding the victim with a view to repatriation to his/her family and then refers the victim to NGOs for care and safeguarding pending repatriation. Facilities for young male victims are extremely limited.

¶D. The government respects the rights of victims upon their return. There have been no reports of returned trafficked victims being detained, jailed, or prosecuted for violations of other laws, such as those governing immigration or prostitution.

¶E. According to IOM, government authorities have not made any concerted effort to interview returned trafficked victims about their experiences. Many returned victims fear retribution not only against themselves from traffickers in Ethiopia but also against other trafficked persons trapped in

destination countries. There is no legal barrier to victims wishing to file civil suits or seek legal action against traffickers. Many opt to remain silent because of embarrassment and fear of retribution from traffickers. There is no victim restitution program.

F. The government accords no special protections to trafficking victims and witnesses.

G. According to MOLSA, the government does not yet provide any specialized training to government officials in recognizing trafficking and in the provision of assistance to trafficked victims, to include the special needs of trafficked children. However, MOJ reported in 2004 that the multi-agency task force is looking at how to build this issue into the curricula for police initial and in-service training programs. MOLSA reports that many Ethiopian diplomats abroad remain largely uninformed about the extent of the trafficking in persons problem in their own country because this is not part of the training they receive. MFA intends to include anti-trafficking in future training of diplomats. The Ethiopian consul general in Beirut collaborates with NGOs there, such as Caritas, in anti-trafficking efforts.

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H. MOLSA reports that there is extremely limited government assistance available to trafficked victims, either in Ethiopia or in destination countries. The mandate of the Beirut consulate is to negotiate with employers and agents under particular circumstances, such as when an employer refuses to pay a worker's salary or to furnish a migrant worker with a return ticket. It also reportedly provides limited legal advice and serves as a temporary shelter for trafficked victims awaiting funds from family members or friends to pay off traffickers so that they could return to Ethiopia. MOLSA reports that the government provided bus transportation from Addis Ababa to their home villages to a group of recently returned Ethiopian women who had been trafficked to Yemen.

I. The EWLA works with trafficked victims. It paid for counseling and professional training for several returned victims, and sent an attorney to Beirut on more than one occasion to offer legal assistance to victims there.

-- The Forum for Street Children is a local NGO that recognizes the magnitude of the problem of trafficking in children within Ethiopia. Some of its projects include opening a center for sexually abused and exploited girls, which offers educational, counseling, and basic health information. It also has undertaken a child protection project within police stations for child victims of abuse.

-- Gemanaye Ethiopia Association is an NGO founded in 2002 for the purpose of creating awareness about working conditions in the Middle East to young women hoping to migrate there. Addis Miraf rehabilitation and reintegration shelter for victims of trafficking established in June 2004 provides limited counseling and vocational training service. Currently the shelter assists 27 women who are victims of trafficking.

The government's ability to assist and protect trafficking in persons victims, despite its political will, is constrained by lack of funding, personnel, and training. Ethiopia ranks as one of the poorest country in the world, according to World Bank statistics. Increasingly cognizant of the problem and the need to do more, the government has begun to demonstrate political will to improve the situation significantly. The government shut down illegal international employment agencies and enforced immigration requirements for departing labor migrants. However, a low conviction rate for trafficking cases sends a clear message that the risks are minuscule in comparison to the profits that can be made from this illicit activity. Ethiopia's

under-resourced and overwhelmed judicial system is unable to vigorously prosecute TIP cases.

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¶3. (SBU) Number of hours spent in preparation of TIP report
cable: FEOC deputy chief of mission: 1 hour; FS02
political/economic deputy chief of section: 4 hours; FP04
political/economic officer: 6 hours; LES: 6 hours.
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